



ATTORNEYS AT LAW SINCE 1895

VIA FACSIMILE AND FIRST CLASS MAIL

David C. Hook, Esquire
 Hook and Hook
 189 W. High Street
 P.O. Box 792
 Waynesburg, PA 15370

January 13, 2006

Re: Roy and Diane Brendel v. Consol Energy, Inc.

Dear Mr. Hook:

This is in furtherance of your request that the depositions of Mr. and Mrs. Brendel scheduled for January 18 and 19, 2006, entire days, be put off. The reason you gave was that to gather the information subpoenaed, including detailed support for the repair damage claimed, you need more time to collect the documents. I expressed surprise that more time was required since the claim has been pending for quite a number of years. Indeed, you had made a specific claim to the government to identify costs and I presume you have the backup.

On a professional basis, I will consider your request, but for the time being, January 18 and 19 hold. I will re-schedule the dates pending a written agreement by you to produce the documents and witness, on January 24 and 25 or alternatively January 31 and February 1, 2006. Please expedite your reply so that we may cover the reporters.

In the meantime, you will find medical authorizations for each of your clients, for Ruby Memorial Hospital and other hospitals. In addition, I enclose general medical authorizations and physician authorizations that I request you have your clients sign, fill in the relevant medical facility/physician information, social security number, etc. Please have your clients promptly complete all of these forms and return them to me.

*Pittsburgh**Philadelphia**Princeton**Wheeling*

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 One Oxford Centre
 301 Grant Street, 14th Floor
 Pittsburgh, PA 15219-1425
 412 394 7711
 412 394 2555 Fax



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Please expedite your response.

Very truly yours,

A handwritten signature in black ink, appearing to read "JAK".

Joseph A. Katarincic

JAK/rgf
Enclosures

cc: Rebecca Ross Haywood (via U.S. mail)
 Albert W. Schollaert (via U.S. mail)
 Steven C. Barcley (via U.S. mail)
 Ruth Ann Storey (via U.S. mail)
 Pamela L. Barkin (via U.S. mail)
 Thomas C. Reed (via U.S. mail)
 Michael V. Nixon (via U.S. mail)